

#### PRESENT:

Mr. F. Wayne Bass, Chairman

Dr. William P. Brown, Vice Chairman

Mr. Russell Gulley

Mr. Sam R. Hassen

Mr. Reuben J. Waller, Jr.

Mr. Kirkland A. Turner, Secretary to the Commission, Planning Director

# **ALSO PRESENT:**

Mr. Michael E. Tompkins, Assistant Director,

Development Review Section, Planning Department Mr. Glenn E. Larson, Assistant Director, Plans

and Information Section, Planning Department

Mr. Gregory E. Allen, Planning Manager, Development Review Section, Planning Department

Ms. Darla W. Orr, Planning and Special Projects Manager,
Zoning and Special Projects Section, Planning Department

Ms. Teresa C. Davis, Planning and Special Projects Coordinator,
Development Review Section, Planning Department

Mr. Michael Janosik, Planning Administrator,

Development Review Section, Planning Department

Ms. Pamela Nichols, Clerk to the Commission,

Administration Section, Planning Department

Ms. Amy Sommervell, Senior Planner, Development Review Section, Planning Department

Mr. Ryan Ramsey, Senior Planner, Development Review Section, Planning Department

Ms. Natalie Spillman, Planner, Development Review Section, Planning Department

Mr. Jeffrey H. Lamson, Senior Planner, Development Review Section, Planning Department

Mr. George "Bubba" Bowles, Senior Engineer
Utilities Department

Mr. Bill Wright, Assistant Director Engineering, Utilities Department

Mr. Garrett Hart, Development Manager, Economic Development

Mr. Randy Phelps, Principal Engineer, Utilities Department Mr. Dave Wolverton, Microcomputer Analyst

Information Systems Technology

Ms. Traci E. Teasley, Executive Director of Research & Planning,

School Administration

Firefighter Greg Smith, Fire and Life Safety,

Fire and EMS Department

#### ASSEMBLY AND WORK SESSION.

Messrs. Bass, Brown, Gulley, Hassen, Waller and staff assembled at 3:00 p. m. in the Public Meeting Room, Chesterfield County Administration Building, 10001 Iron Bridge Road Chesterfield, VA, for a work session.

# I. REQUESTS TO POSTPONE ACTION, EMERGENCY ADDITIONS, CHANGES IN THE ORDER OF PRESENTATION.

There were no requests to postpone action, emergency additions, changes in the order of presentation.

- I. Requests to Postpone Action, Emergency Additions, Changes in the Order of Presentation.
- II. Review Upcoming Agendas. (Any rezonings or conditional uses scheduled for future meetings.)
- III. Review Day's Agenda. (Any items listed for the 4:00 p.m. and 6:00 p.m. Sessions.)
- IV. Work Program Review and Update.
- V. Planning Commission's Follow-up Items List.
- VI. Proposed Subdivision Ordinance Amendment Relative to Utility Connection.
- VII. Recess.

# II. REVIEW UPCOMING AGENDAS.

Ms. Darla Orr apprised the Commission of the caseload agenda for the upcoming months for May, June and July 2011.

# III. REVIEW DAY'S AGENDA.

Mr. Greg Allen presented an overview of, and staff's recommendations for, requests to be considered at the 4:00 p.m. Public Meeting.

Ms. Darla Orr presented an overview of, and staff's recommendations for, requests to be considered at the 6:00 p.m. Public Hearing.

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Mr. Turner advised the Commission that on April 13, 2011, the Board of Supervisors adopted Ordinance amendments relating to Planning Department fee changes for office, commercial and industrial uses only.

# V. PLANNING COMMISSION'S FOLLOW-UP ITEMS LIST. □ FOLLOW-UP ITEMS LIST

Mr. Bass inquired if staff had received full cooperation from the cellular companies regarding the request for information.

# VI. PROPOSED SUBDIVISION ORDINANCE AMENDMENT RELATIVE TO UTILITY CONNECTION.

PROPOSED SUBDIVISION ORDINANCE - MEMO

Mr. Michael Tompkins advised the Commission of staff's recommendation that the Planning Commission table the proposed amendment, and direct staff to examine utility connection requirements through the Subdivision Ordinance Update project.

Mr. Robinson advised the Commission that a vote to take no action concludes any further actions on the Proposed Subdivision Ordinance Amendment Relative to Utility Connection.

On motion of Mr. Gulley, seconded by Dr. Brown, the Commission resolved to take no action on the Proposed Subdivision Ordinance Amendment Relative to Utility Connection.

AYES: Messrs. Bass, Brown, Gulley, Hassen and Waller.

# VII. RECESS.

There being no further business, the Commission recessed at 3:12 p.m., agreeing to reconvene in the Public Meeting Room for the Afternoon Session.

#### 4:00 p.m. PUBLIC MEETING.

# I. CALL TO ORDER.

Mr. Bass, Chairman, called the meeting to order at 4:00 p.m. in the Public Meeting Room, Chesterfield County Administration Building.

# II. <u>REQUESTS TO POSTPONE ACTION, EMERGENCY ADDITIONS OR CHANGES IN THE ORDER</u> OF PRESENTATION.

There were no requests to postpone action, emergency additions, changes in the order of presentation.

#### III. REVIEW MEETING PROCEDURES.

Mr. Turner reviewed the meeting procedures.

# IV. <u>APPROVAL OF THE MARCH 15, 2011 PLANNING COMMISSION MINUTES:</u>

March 15, 2011 Planning Commission Minutes.
 ■3-15-11 CPC MINUTES - DRAFT

Dr. Brown noted a correction on page 5 to include the word "not".

On motion of Dr. Brown, seconded by Mr. Gulley, the Commission resolved to recommend approval of the March 15, 2011 Planning Commission Minutes with correction.

AYES: Messrs. Bass, Brown, Gulley, Hassen and Waller.

# V. PUBLIC HEARING.

- CASES WHERE APPLICANTS ACCEPT STAFF'S RECOMMENDATION AND THERE IS NO PUBLIC OPPOSITION.

Mr. Ivan Wu, the applicant's representative, accepted staff's recommendation.

No one came forward to speak in favor of, or in opposition to, the request.

Mr. Gulley noted a meeting was held to discuss the primary concern how to move people safely from one campus to another, and a win-win situation was reached. He stated SportsQuest has agreed to provide shuttle buses between campuses; that if a traffic signal is warranted, as determined by the Transportation Department, the developer will be responsible for installing the traffic signal. He also stated Dr. Burton was pleased with the support from County officials and citizens; and expressed appreciation to all interested parties.

In response to Mr. Bass' question, Mr. Gulley stated people will be discouraged to walk between campuses, but ultimately people will choose whether to walk along Genito Road.

On motion of Mr. Gulley, seconded by Dr. Brown, the Commission resolved to approve Case 11PS0172 subject to the following conditions:

#### CONDITIONS

- 1. Buffers required within Tract 1002, along Genito Road and Genito Place, shall meet the landscaping and setback requirements within Emerging Growth Areas. A landscape plan shall be submitted in conjunction with site plan review. This modifies Condition 39 of Case 79S142 (Modification I). (P)
- 2. Direct vehicular access to Genito Road and Genito Place shall be determined at time of site plan. Vehicular access may differ from the schematic. The exact access location(s) shall be approved by the Transportation Department. The buffer required within Tract 1002, along Genito Place shall meet the landscaping and setback requirements within Emerging Growth Areas. A landscape plan shall be submitted in conjunction with site plan review. This modifies Condition 53 of Case 79S142 (Modification II). (T, P)

- 3. The developer shall be responsible for construction of an additional lane of pavement along the northbound lane of Genito Place. The exact design and length of this improvement shall be approved by the Transportation Department. The developer shall be responsible for dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvement (modifies Condition 56 of Case 79S142). (Modification III) (T)
- 4. The site will retain drainage per State and County standards including additional County requirements. The western outfall fifty (50) year post-developed conditions shall be released at a rate not to exceed the ten (10) year pre-developed rate conditions. The southern outfall honor the release rates per a study performed by the Timmons Group for the Clover Hill High School. This modifies Condition 58 of Case 79S142. (Modification IV) (EE)
- 5. Prior to final site plan approval, a minimum of thirty (30) feet right-of-way, measured from the centerline of Genito Place, along the frontage of tract 1002, shall be dedicated free and unrestricted, to and for the benefit of Chesterfield County. This modifies Condition VIII of Case 84S020. (Modification V) (T)
- 6. Direct vehicular access to Genito Road shall require construction of a separate right turn lane. The exact design and length of the right turn lane(s) shall be approved by the Transportation Department. (T)
- 7. Prior to site plan approval for any development that may warrant traffic signalization at the intersection of Genito Place and Genito Road, as determined by the Transportation Department, a bond or surety, in a form acceptable to the County attorney and in an amount acceptable to the Transportation Department, shall be provided to the Transportation Department for the installation of the referenced traffic signal. If the traffic signal is warranted, as determined by the Transportation Department, the developer shall be responsible for installing the traffic signal. Upon a written request by the developer, if the signal is not warranted at this intersection, as determined by the Transportation Department, within three (3) years from the date of the issuance of occupancy permit, the bond or surety shall be returned. (T)
- 8. Prior to issuance of any certificate of occupancy or in conjunction with the initial development, whichever occurs first, the developer shall be responsible for construction of sidewalk along the westbound lanes of Genito Road from Watercove Road to Genito Place. The developer shall be responsible for dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvement. (T)
- 9. The developer shall be responsible for construction of a sidewalk along Genito Road from Genito Place/Kelly Green Drive to the Genito Road/Route 288 Bridge if required by the Transportation Department. The exact design and location of the sidewalk shall be approved by the Transportation Department. The developer shall be responsible for dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvement. (T)
- 10. The developer shall be responsible for construction of sidewalk along both sides of Genito Place within the project, unless otherwise approved by the Planning and

Transportation Departments. The developer shall be responsible for dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for sidewalk improvements. (P, T)

11. The schematic plan layout is conceptual in nature. The final approved site plan may deviate from the schematic plan layout without requiring amendment of the schematic plan. The uses shown on the schematic plan may be revised through the approval of the final site plan so long as the revised uses are similar to the uses proposed on the schematic plan. (P)

AYES: Messrs. Bass, Brown, Gulley, Hassen and Waller.

A. <a href="https://doi.org/10.150/10.150">11TW0183</a>: In Bermuda Magisterial District, CAROL BUTLER requests development standards modification approval to park a recreational vehicle outside the limits of the rear yard for 2712 PERDUE AVENUE in a Residential (R-15) District on .4 acres fronting approximately 125 feet on the west line of Perdue Avenue and approximately 150 feet south of the intersection of Perdue Avenue and Osborne Road. Tax ID 796-659-6005. 
\[ \begin{array}{c} 11TW0183 - STAFF ANALYSIS \end{array} \]

Ms. Carol Butler, the applicant, accepted staff's recommendation.

Mr. Bass opened the floor for public comments.

Ms. Andrea Epps spoke in favor of the request.

There being no one else to speak, Mr. Bass closed the public comments.

Mr. Hassen noted a community meeting was held and there was no opposition; that subject property's yard has physical constraints that limit the ability to park the recreational vehicle in the rear yard; that visibility from the street is limited; and that the applicant purchased the recreational vehicle in 2005.

On motion of Mr. Hassen, seconded by Mr. Gulley, the Commission resolved to approve Case 11TW0183 subject to the following conditions:

#### CONDITIONS

- 1. The recreational vehicle shall be parked in the side yard at the rear of the existing driveway and at least five (5) feet from the side property line at all times, except during loading and unloading activities.
- 2. This Development Standards Modification shall be granted exclusively to Carol Butler, and not be transferable with the land.

AYES: Messrs. Bass, Brown, Gulley, Hassen and Waller.

B. <a href="https://doi.org/10.1008/jt/10.2008/jt/40.20

Mr. Mike Gunter, the applicant's representative, accepted staff's recommendation.

No one came forward to speak in favor of, or in opposition to, the request.

Mr. Waller stated the improvements are compatible with the existing architectural features of the shopping center.

On motion of Mr. Waller, seconded by Dr. Brown, the Commission resolved to approve Case 11PS0189.

AYES: Messrs. Bass, Brown, Gulley, Hassen and Waller.

# VI. RECESS.

There being no further business to discuss, the Commission recessed the Afternoon Session at approximately 4:16 p.m., agreeing to meet in the Executive Meeting Room at 5:00 p.m. for dinner; and to reconvene in the Public Meeting Room at 6:00 p.m. for the public hearing.

# 5:00 p.m. DINNER - EXECUTIVE MEETING ROOM.

During dinner, there was general discussion regarding pending cases.

# 6:00 p.m. PUBLIC MEETING AND HEARING.

# I. INVOCATION.

Mr. Gulley presented the invocation.

# II. PLEDGE OF ALLEGIANCE TO THE FLAG OF UNITED STATES OF AMERICA.

The Commissioners led the Pledge of Allegiance to the Flag.

# III. REVIEW UPCOMING AGENDAS.

Mr. Kirk Turner apprised the Commission of the caseload agenda for the upcoming months.

# IV. <u>REQUESTS TO POSTPONE ACTION, EMERGENCY ADDITIONS OR CHANGES IN THE ORDER</u> OF PRESENTATION.

There were no requests to postpone action, emergency additions or changes in the order of presentation.

# V. REVIEW MEETING PROCEDURES.

Mr. Kirk Turner reviewed the meeting procedures.

# VI. CITIZEN COMMENT ON UNSCHEDULED MATTERS.

Ms. Andrea Epps expressed appreciation to the Commission for their hard work and dedication to making Chesterfield County a First Choice Community.

# VII. PUBLIC HEARING.

# DEFERRAL REQUESTS BY INDIVIDUAL PLANNING COMMISSIONERS.

A. <a href="https://doi.org/10.1007/jtml/doi.org/10

Mr. Aaron Breed, the applicant's representative, accepted deferral of Case 11SN0195 by Mr. Gulley to the May 17, 2011 Planning Commission public hearing.

No one came forward to speak in favor of, or in opposition to, the deferral.

Mr. Gulley stated the deferral would allow the Commission time to review the recently submitted proffer; and asked Mr. Breed to coordinate an onsite meeting to address concerns of all interested parties.

The following motion was made at Mr. Gulley's request.

On motion of Mr. Gulley, seconded by Mr. Waller, the Commission, on their own motion and with the applicant's consent, resolved to defer Case 11SN0195 to their May 17, 2011 Planning Commission public hearing.

AYES: Messrs. Bass, Brown, Gulley, Hassen and Waller.

C. <u>09SN0141</u>: In Dale Magisterial District, **CASCADE CREEK HOMES**, **INC**. requests rezoning and amendment of zoning district map from Residential (R-9) to Neighborhood Business (C-2) on 12.5 acres located in the northeast corner of the intersection of Cogbill Road and Five Forks Lane. Density will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for neighborhood mixed use. Tax ID 762-678-Part of 4600.

<u>■ 09SN0141 - STAFF ANALYSIS</u>

Mr. Jim Theobald, the applicant's representative, accepted deferral of Case 09SN0141 by Dr. Brown to the October 18, 2011 Planning Commission public hearing.

No one came forward to speak in favor of, or in opposition to, the deferral.

Dr. Brown noted the deferral would allow additional time for the applicant to address concerns relative to airport expansion and to hold another community meeting with area property owners.

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The following motion was made at Dr. Brown's request.

On motion of Dr. Brown, seconded by Mr. Hassen, the Commission, on their own motion and with the applicant's consent, resolved to defer Case 09SN0141 to their October 18, 2011 Planning Commission public hearing.

AYES: Messrs. Bass, Brown, Gulley, Hassen and Waller.

# • <u>CASE WHERE APPLICANT DOES NOT ACCEPT STAFF'S RECOMMENDATION AND THERE IS NO PUBLIC OPPOSITION.</u>

Ms. Darla Orr presented an overview of the request and staff's recommendation of denial noting the Ordinance permits offsite directional signs for certain uses; however, the uses for which such signs are permitted do not include commercial recreational uses. She stated the applicant indicated that since permitted traffic movements had changed from Cosby Road such that access is no longer provided by full intersections on both the western and eastern portion of the road, an offsite directional sign was needed to identify the recreational complex.

Ms. Irene Williamson, the applicant's representative, noted Mr. Donald Heslep was unable to attend the public hearing; and asked the Commission to recommend approval for an offsite directional sign.

Mr. Bass stated when Cosby High School was built in 2006, Fox Club Parkway was extended across Cosby Road, and a median along Fox Club Parkway where it intersects with Cosby Road limits turn movements to right in/right out movement only. He stated since the traffic patterns have changed from Cosby Road, the directional sign will direct customers to the business.

No one came forward to speak in favor of, or in opposition to, the request.

On motion of Mr. Bass, seconded by Dr. Brown, the Commission resolved to recommend approval of Case 11SN0198 and acceptance of the following proffered condition:

### PROFFERED CONDITION

One (1) offsite directional sign for the purpose of identifying a commercial indoor and outdoor recreational use located on tax IDs 716-671-1195 and 716-672-9111 shall be permitted. Such sign shall be limited to a maximum of thirty-six (36) square feet in area and six (6) feet in height. (P)

AYES: Messrs. Bass, Brown, Gulley, Hassen and Waller.

# VIII. <u>CITIZEN COMMENT ON UNSCHEDULED MATTERS.</u>

There were no citizen comments on unscheduled matters.

seconded	by Mr. Waller,	that the meeti	ng adjourned a	it 6:18 p.m. to T	t was on motion hursday, April 28	, 2011, at
in the Pub	lic Meeting Roo	om, Chesterfie	ld County Adm	inistration Build	ng, Chesterfield,	Virginia.

Secretary/Date

IX.

Chairman/Date

ADJOURNMENT.